

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PETER A. SPALLUTO)	
and ACCESS WITH SUCCESS, INC.,)	
Plaintiffs)	CIVIL ACTION NO.: 05-cv-10385-EFH
)	
v.)	
)	
HDP, INC.,)	
Defendant)	
)	

**DEFENDANT HDP, INC.'S OPPOSITION TO
PLAINTIFFS' MOTION FOR A PROTECTIVE ORDER**

Defendant HDP, Inc. opposes the motion of the plaintiffs for a protective order which seeks, on April 15, 2008, to prevent defendant from conducting depositions that have been scheduled for tomorrow, April 16, 2008.

Without taking up the Court's time describing the defendant's efforts to depose Mr. Spalluto, and to get a genuine spokesperson for Access With Success, Inc, the defendant wants to advise the court that Mr. Spalluto, whom plaintiff's counsel represents to have difficulty traveling, has filed one hundred, forty-one separate lawsuits in US District Courts in Florida, Illinois, Nevada, Georgia, New York, New Jersey and Massachusetts, since the year 2000. (Kindly see Exhibit 1)

In Massachusetts, from a quick P.A.C.E.R. check, Mr. Spalluto has filed eight suits in the past four years, including this one. (Kindly see Exhibit 2)

This is only a rough check through P.A.C.E.R. of federal court claims brought by Mr. Spalluto. Defendant has not undertaken to survey the state court claims this plaintiff has filed. Apparently Mr. Spalluto finds time to travel when it fits his schedule.

The plaintiffs have resisted sitting for depositions since this action was filed.

Defendant has made, and is prepared to document, numerous attempts, either by seeking agreed dates or by serving deposition notices, to conduct discovery in this matter.

At this point, Defendant opposes the effort of the plaintiffs to forestall their depositions yet again, and asks the Court to DENY the Plaintiffs' application.

Respectfully submitted,
HDP, Inc.,
Defendant,
By its attorneys

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Date: April 15, 2008

Civil Name Search Results

141 Total Case matches for selection SPALLUTO, PETER 01/01/2000 to 04/14/2008 for AL
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